

CITY COUNCIL, CITY OF LODI  
COUNCIL CHAMBER, CITY HALL  
MARCH 20, 1957

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, March 20, 1957; Councilman Fuller, Hughes, Katzakian, Robinson, and Mitchell (Mayor) present; none absent. City Manager Weller and City Attorney Mullen also present.

Minutes of the previous meeting of March 6, 1957, were approved as written and mailed with the following corrections. In the paragraph entitled "Central Valley Traction Company Relocate Building", the underlined word "Valley" is corrected to read California. "Councilman Robinson's statement in the paragraph entitled "Lodi Lake Park Abandoned by State", is corrected to read as follows: "Councilman Robinson stated that although he did not question the authority of the State Division of Beaches and Parks to eliminate Lodi Lake Park from the State Park system, he felt it was very unfair for them to place the blame for their action on Mr. Howard Mason and Mr. J. N. Ballantyne."

PUBLIC HEARINGS

REZONING LOTS 16 AND 17 CRESCENT MANOR SUBD. ORD. NO. 588 INTRODUCED The Mayor called for protests to the proposed rezoning of Lots 16 and 17, Crescent Manor Subdivision from R-3 to R-4. No protests were offered either written or oral. Ordinance No. 588, granting the rezoning as recommended by the Planning Commission, was introduced on the motion of Councilman Hughes, Fuller second.

REZONING POR. OF BLK. 1, STURLA SCHOOL ADD. ORD. NO. 589 INTRODUCED The Mayor then called for those persons interested in the rezoning of Lots 6, 7, 8, 9, 10, in Block 1, of the Sturla School Addition from R-4 to C-1, to present their arguments. No protests were offered. Councilman Katzakian explained to the Council that he had a personal interest in the rezoning of this property, and that he would therefore like to withdraw from the discussion or voting in this rezoning matter. Ordinance No. 589, approving the rezoning as recommended by the Planning Commission was introduced on the motion of Councilman Fuller, Robinson second. The motion carried by the following vote:

AYES: Councilmen - Fuller, Hughes, Robinson and Mitchell

NOES: Councilmen - None

ABSTAIN: Councilmen - Katzakian

HAUSAUER APPEAL Mayor Mitchell then opened the meeting to the consideration of an appeal from the decision of the City Planning Commission at its meeting of February 25, 1957, granting a use permit for the maintenance of an automobile wrecking yard at 014 South Main Street. The use permit was granted to Mr. Emil Hausauer. The minutes of the City Planning Commission meeting granting the use permit were read by the City Manager. A letter submitted by Mr. F. I. Collier, of 615 South Stockton Street, protesting the use permit was read by the City Clerk. Mrs. Collier addressed the Council to state that the neighborhood has been uniformly opposed to granting a use permit for a wrecking

yard. Mr. Henry Bohnet, 609 South Stockton Street, stated that he objected because the burning of automobile bodies would create a nuisance. Councilman Robinson then stated that he felt a use permit was protection to the property owners in that conditions to the use permit could be stipulated by the Planning Commission. Councilman Katzakian pointed out that the property in question at 615 South Main Street was zoned for industrial purposes, and he felt that it would be difficult to find a more suitable site for a wrecking yard than the one proposed. On the motion of Councilman Robinson, Katzakian second, the Council voted to sustain the action of the City Planning Commission in granting a use permit to Mr. Hausauer for the operation of an automobile wrecking yard at 615 South Main Street.

SOUTHERN BAPTIST  
REQUEST

ORD. NO. 587  
INTRODUCED

Mayor Mitchell called for public hearing on the request of the Southern Baptist Church for the annexation of its property on West Lodi Avenue to the City. There were no protests received either written or oral. Ordinance No. 587, approving the annexation of the Southern Baptist Addition, was then introduced on the motion of Councilman Hughes, Councilman Katzakian seconding.

SWIMMING POOL  
CONSTRUCTION

City Attorney Mullen then explained to the City Council that the Recreation Department had made efforts to negotiate on the open market for the construction of the swimming pool as authorized by the City Council at a previous meeting. Mr. Mullen explained that there was still more than one contractor interested in construction of the pool and that negotiations have become quite complicated. He therefore recommended that the adjusted specifications be published and that the City advertise for new bids for the construction. Councilman Katzakian stated he was very anxious to see the construction of the pool started and was unhappy at the prospect of further delay, but since it was the City Attorney's recommendation that new bids be taken, he moved to reset the matter for the opening of sealed bids on April 12, 1957. Councilman Fuller stated that he was also very anxious to see the pool in operation this summer, and he felt that with the adoption of this motion an orderly start could be taken on the pool. He then seconded the motion of Councilman Katzakian. The motion carried by unanimous vote.

CITY PLANNING COMMISSION

RODINE SQUARE  
SUBDIVISION

Mr. Weller reported from the minutes of the City Planning Commission that the tentative map of Rodine Square Subdivision, referred back to the Planning Commission by the City Council, had been given careful consideration, but the Commission voted to reaffirm its previous action. Councilman Hughes then moved, Katzakian second, to accept the report from the Planning Commission. Councilman Robinson stated that he still did not agree with the action of the City Planning Commission and he would like to protest the approved map.

He stated he did not think the cul-de-sac is good planning. The motion was then carried by the following vote:

AYES: Councilmen - Fuller, Hughes, Katzakian and Mitchell

NOES: Councilmen - Robinson

ABSENT: Councilmen - None

KRISTMONT  
ACRES #2  
APPROVED

The final map of Kristmont Acres #2 was submitted for approval. On the motion of Councilman Katzakian, Hughes second, the Council approved the final map and authorized the Mayor to sign.

CHANGE NAME OF  
CALIFORNIA ST.  
IN WILLOW  
GLEN SUBD.

RES. NO. 2008  
ADOPTED

Recommendation from the City Planning Commission for a change in street name of that portion of California Street lying north of Turner Road as shown on the map of Willow Glen Subdivision was presented to the City Council. The Planning Commission felt that termination of California Street on the south side of Turner Road would create less confusion on the part of the public than extending it north of Turner Road, where it would terminate into Edgewood Drive. The Planning Commission recommended that the name of that portion of California Street north of Turner Road be changed to Edgewood Drive. After brief discussion, Councilman Fuller moved, Katzakian second, the adoption of Resolution No. 2008, changing the name of California Street to Edgewood Drive North of Turner Road. The motion was carried by unanimous vote.

#### COMMUNICATIONS

SPORTSMAN'S  
CLUB

A letter from the Lodi Sportsman's Club requesting that the City of Lodi discontinue the use of property owned by the Sportsman's Club just east of the City-owned dump grounds in the Southeast Quarter of Section 36 along the South bank of the Mokelumne River until such time as arrangements be made for the use of said property. In this letter the Club stated that they desire the City to move the solid fill which is presently on the City property to the Sportsman's Club property. Councilman Fuller suggested that the letter be referred to the City Manager for a report at its next meeting. At the suggestion of the City Attorney, the Council suggested to the Sportsman's Club that it submit a letter to the City Council stating their proposal for the use of the land and their future plans for the area as a means of establishing a basis for further discussion of the problem. Mr. Jim Wood addressed the Council from the audience, stating that such an arrangement was agreeable since the letter before the City Council was for the purpose of getting a meeting between the Sportsman's Club and the City Council.

DAVIS EASE-  
MENT

A letter from Marvin Davis stating that the chimney of his home in Century Manor Subdivision has suffered damage as a result of settling of ground over a trench in which the City has placed a utility line. He reported that he had been informed by a contractor that unless corrections were made, the settling would continue and the

damage to his home would increase. He stated this line had been installed without his knowledge and without securing the necessary easement from the property owners. On the motion of Councilman Fuller, Hughes second, the letter was referred to the City Attorney for investigation.

SULLIVAN TRAILER  
REQUEST

Letter from Miss Muriel Sullivan, requesting permission to park her house trailer at the rear of the building on North Hutchins Street just east of California Street in the Kundert Subdivision. She explained that she had rented a space in the building for the operation of a dance studio and wished to place the trailer at the rear of the building and attach water and sewer service as a matter of convenience to her. Since the property reared on the railroad right-of-way, she felt it would not create a disturbance to the surrounding property owners. City Attorney Mullen advised the City Council that Ordinance No. 248 of the City of Lodi limited the parking of trailers to public camp grounds or trailer courts which are established under the provisions of this ordinance. He explained that trailers may be parked on private property on a temporary basis but their use is limited to temporary sleeping quarters. On the motion of Councilman Hughes, Fuller second, the letter was referred to the City Attorney for reply to the applicant.

LETTER FROM SENATE  
SENATOR SHORT  
ACKNOWLEDGING  
RECEIPT OF RES.

Letter from State Senator Allen Short, acknowledging receipt of the Resolution of the City Council supporting assembly bill No. 2229 which would give relief to the City of Ripon in its effort to dissolve a lighting district. Senator Short advised that he had an interest in this bill and would handle it when it reached the Senate. He asked that the City Council be assured their recommendations are welcomed by him and he invited them to keep him informed on pending legislation.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$96,221.88 were approved on the motion of Councilman Robinson, Katzakian second.

WIDENING OF S.  
STOCKTON ST.

The City Manager reported that the City Engineer had investigated the building line of the California Fruit Exchange on South Stockton Street as requested by the City Council at the last meeting. The City Engineer reported that the loading dock of the California Fruit Exchange extends to its east property line which would make the widening of Stockton Street on the west side impracticable at this time. He pointed out, however, that there are other areas on Stockton Street which would make widening difficult, but since it would take many years to achieve the widening, the City Engineer recommended the practical solution is to perform those portions of the work whenever opportunities present themselves. The City Engineer also reported that Stokley Van Camp, Inc. owns a substantial portion of

the frontage on South Stockton Street two lots south of the Traction Company property. He stated that Stokley Van Camp has paved its lot and has started the paving at a point to permit widening in conformity with the Master Plan. The two intervening properties are residential and he suggested that it might be possible to secure the dedication of lands from these property owners to secure a total of 400 feet in one strip. Councilman Robinson stated that he felt it would be worth while to widen the street even if the two residential properties were not willing to dedicate the land at this time. He then moved, Katzakian second, to authorize the widening of South Stockton Street including the two intervening residential lots if possible. The motion carried by unanimous vote.

#### LOADING ZONE REQUEST

The City Manager reported that at a previous meeting of the City Council it had heard the oral request for a loading zone to be located at 14 North Main Street. The matter had been referred to the City Engineer who reported he had investigated the request and found that the applicant felt the loading zone was required to move boats in and out of his establishment, since he did not have access to the alley. The City Engineer reported that he had learned the loading zone was required on an irregular basis and that he had suggested the applicant secure a "No Parking" sign from the Police Department which could be set up as needed. He had discussed the matter with the Chief of Police who concurred with the recommendation. No further action was taken.

#### TANDEM ROLLER BIDS

The City Manager reported that two bids had been received for a tandem roller. Only one of the bids had met the specifications. The qualified bid was from the Western Traction Company for a "Huber Warco" roller in the amount of \$4,403.86. On the motion of Councilman Hughes, Katzakian second, the Council adopted Resolution No. 2007 awarding the contract to the Western Traction Company in the amount of \$4,403.86.

#### LITTLE LEAGUE BASEBALL PARK

The City Manager read a letter from the Recreation Commission recommending to the City Council that a request from the Junior Chamber of Commerce for permission to erect a junior league baseball park in Blakely Park be granted with the following restrictions.

1. The J-Cees will have total sum on hand before project is started.
2. Upon completion the J-Cees will turn the park over to the City, and will no longer retain any interest.
3. The J-Cees will use discretion in selling fence ads - Beer, Night Club and Cigaretts ads should be excluded.
4. The City will reserve the right to determine when signs on fence should be repainted by sponsor.
5. The Commission suggests that instead of constructing a press box, money for this should be diverted for the purpose of constructing more bleachers and a score board for the park.

6. If and when in the opinion of the City the fence becomes deteriorated to the point where it should be completely replaced or done away with, the City will be the sole judge as to the outcome.

The Commission reported that the Junior Chamber of Commerce have concurred with the stipulations of the Commission and the Commission commended the Junior Chamber for its interest in this worthwhile activity. Councilman Robinson stated that he felt as long as the fence would be removable it would be acceptable to him. He then moved, Fuller second, the recommendation of the Recreation Commission be accepted and the project authorized. The motion passed by unanimous vote.

OFF STREET PARKING  
REQUIREMENTS

AMEND ZONING  
ORDINANCE

ORD. NO. 583  
ADOPTED

ORDINANCE NO. 583, ENTITLED "AN ORDINANCE AMENDING SECTION 12.2 OF ORDINANCE NO. 469 ENTITLED, 'AN ORDINANCE TO REGULATE, RESTRICT AND SEGREGATE THE LOCATION OF INDUSTRIES, BUSINESSES, TRADES, APARTMENTS, DWELLINGS AND OTHER SPECIFIED USES, TO REGULATE AND LIMIT THE HEIGHT AND BULK OF BUILDINGS HEREFTER ERECTED; TO REGULATE AND DETERMINE THE AREA OF YARDS AND OTHER OPEN SPACES; FOR SAID PURPOSES TO DIVIDE THE CITY INTO DISTRICTS; TO PROVIDE FOR ENFORCEMENT AND PRESCRIBE PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AND TO REPEAL ORDINANCE NO. 238 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH IN SO FAR AS SUCH CONFLICT MAY EXIST', BY CHANGING THE REQUIREMENTS FOR OFF-STREET PARKING", having been introduced at the March 6, 1957 meeting, was brought up for passage on the motion of Councilman Katzakian, Fuller second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote.

AYES: Councilmen - Fuller, Hughes, Katzakian and Mitchell

NOES: Councilmen - None

ABSENT: Councilmen - None

Ordinance No. 583 was then signed by Mayor Mitchell in approval thereof.

REZONING BEL AIR  
SUBD. NO. 2

ORD. NO. 584  
ADOPTED

ORDINANCE NO. 584, ENTITLED, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING BEL AIR ESTATES UNIT NO. 2 TO BE IN THE R-2 DISTRICT", having been introduced at the March 6, 1957 meeting, was brought up for passage on the motion of Councilman Hughes, Robinson second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Fuller, Hughes, Katzakian, Robinson and Mitchell

NOES: Councilmen - None

ABSENT: Councilmen - None

Ordinance No. 584 was then signed by Mayor Mitchell in approval thereof.

REZONING LOCKE-  
FORD AND HAM  
LANE

ORD. NO. 585  
ADOPTED

ORDINANCE NO. 585, ENTITLED, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING PROPERTY ON THE NORTHWEST CORNER OF LOCKE-FORD STREET AND HAM LANE TO BE IN THE R-4 DISTRICT", having been introduced at the March 6, 1957 meeting, was brought up for passage on the motion of Councilman Robinson, Katzakian second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Fuller, Hughes, Katzakian, Robinson and Mitchell

NOES: Councilmen - None

ABSENT: Councilmen - None

Ordinance No. 585 was then signed by Mayor Mitchell in approval thereof.

MEAT SALES ORD.

Mr. Weller reported that he had placed the question of repealing Ordinance No. 271, limiting the hours of business for selling of uncured and uncooked meats on the agenda at the request of three City Councilmen. He reported that at recent meetings of the Cities and County of San Joaquin Association the question of limiting meat sales had been investigated. A committee report on the subject had been presented to the Association finding that the regulation of business hours for meat markets had no basis on the question of public health. The repeal of the ordinances in the various cities had been recommended by the Association committee. Mr. Weller also reported that the County Board of Supervisors had acted to repeal the ordinances in the unincorporated territory. Mr. Maynard Smith addressed the City Council from the audience stating that he represented the California Cattleman's Association. He urged the repeal of the City's ordinance. Councilman Katzakian stated that the question had been headlined in the local press and he felt the public had sufficient notice of the Council's intent to repeal the ordinance and if they had wished to object they could have been present at this meeting. He therefore moved, Councilman Fuller second, the introduction of Ordinance No. 586, repealing Ordinance No. 271 of the City of Lodi. Councilman Robinson stated that he had received a call from the representative of the sheep industry with a similar request for repeal. He stated he felt there were other factors involved other than the public health question. He mentioned economy factors as an example. He stated he did not believe the amount of meat sold after 6:00 p.m. or on Sunday would warrant repeal nor would he believe it to be the best move from an economic standpoint to repeal the ordinance, since it is his belief that prices of meat to the consumer might be increased as result of the action. He agreed that introduction of Ordinance No. 586 at this meeting would give the public sufficient notice of the Council's intent and the public should be informed that the ordinance would be before the City Council for adoption at the next meeting at which time they could appear and be heard. The introduction of Ordinance No. 586 was then passed by unanimous vote.

ORD. NO. 586  
INTRO.

HOUSTON EXCHANGE  
OF PROPERTYRES. NO. 2009  
ADOPTED

*City Clerk reported further investigation of the proposal by Clare Houston for the exchange of property owned by Mr. Houston lying just east of the proposed 99 highway by-pass for the City-owned 80-foot strip lying between East Pine Street and Victor Road. He stated that the State Division of Highways had recommended that a 40-foot street would be sufficient in Lodi in as much as it had been proven sufficient in more populous metropolitan areas. The frontage road would be provided by the State on land to be dedicated by the City or a total right of way of approximately 46 feet. The City Clerk also stated that the City Engineer recommended that the right of way not be increased beyond this. The recommendation of the City Engineer took into account principles of planning which were also involved. After further discussion, Resolution No. 2009, approving the plan of the State of California Division of Highways for a frontage road on the East side of 99 highway by-pass, between East Pine Street and Victor Road and offering to dedicate the necessary right of way for said frontage road. Resolution No. 2009 was adopted by unanimous vote. Councilman Hughes then pointed out that the property owned by the City involved in the trade would exceed the amount of the property required for the frontage road. He suggested that the City Manager meet with Mr. Houston and develop a recommendation for an exchange of the balance of the City's property.*

REQUEST OF MR.  
GRIFFIN TO PUR-  
CHASE CITY-OWNED  
PROPERTYRES. NO. 2003  
ADOPTED

*The City Clerk then read a letter from Mr. R. L. Griffin, Delta Woods Products, dated March 19, 1957. In his letter, Mr. Griffin offered to buy from the City of Lodi the North 163 feet of the City's 80-foot strip discussed in the previous action. He offered to pay 40¢ a square foot or \$5,216 for the 13,040 square feet involved. He explained that the Division of Highways was purchasing the western portion of his property which adjoins the City's 80-foot strip. They had offered him the opportunity to buy back 85 feet fronting on Victor Road. This 85 feet would not be sufficient for him to continue his operations at this site. However, if the City of Lodi would agree to sell its 80 feet to him, he would then be in a position to maintain a portion of his operation in Lodi. Councilman Katzakian then moved, Fuller second, the adoption of Resolution No. 2003, authorizing the Mayor and City Clerk to deed the North 163 feet of the 80-foot strip to Mr. R. L. Griffin under the terms offered by Mr. Griffin. The motion was passed by unanimous vote. Mr. Griffin, who was in attendance at the meeting, as was Mr. Houston, nephew of Clare Houston, agreed that the sale of property to Mr. Griffin would not have an adverse effect on the negotiations with Mr. Houston.*

*The meeting was adjourned at 10:15 p.m. on the order of the Mayor.*

*Henry A. Graves Jr.*  
ATTEST: HENRY A. GRAVES, JR.  
City Clerk